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Attorneys for Mark Ghilarducci, Director and  
California Governor's Office of Emergency Services

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

PACIFIC GAS AND ELECTRIC  
COMPANY;

Defendants,

Case No. 14-cr-00175-WHA

**CALIFORNIA GOVERNOR'S OFFICE  
OF EMERGENCY SERVICES  
RESPONDS TO THE COURT'S  
REQUEST FOR INPUT**

Hearing Date: 03/09/21  
Time: 8:00 am  
Courtroom: 12, 19<sup>th</sup> Floor  
Judge: The Hon. William H. Alsup

Enclosed as Exhibit A, please find the California Governor's Office of Emergency  
Services's Response to the Court's February 22, 2021 Order Requesting Input.

February 26, 2021

Respectfully submitted,

/s/ Daisy Liu

DAISY LIU

Counsel, Cal OES

Attorneys for Mark Ghilarducci, Director and  
California Governor's Office of Emergency Services

# EXHIBIT A

GAVIN NEWSOM  
GOVERNOR

MARK S. GHILARDUCCI  
DIRECTOR



February 26, 2021

Honorable William H. Alsup  
United States District Court  
Northern District of California  
Courtroom 12 - 19th Floor  
450 Golden Gate Avenue  
San Francisco, CA 94102

Subject: Case No. 14-CR-00175-WHA

To the Honorable William H. Alsup:

I would like to thank the Court for granting the California Governor's Office of Emergency Services' motion for leave to file an Amicus letter. I have received the Court's February 22, 2021 Request for Input, in which Your Honor asked: "What specific procedure would you require of PG&E in its implementation of the PSPS process that would have prevented the Zogg Fire and four deaths resulting therefrom?"

State officials have an open and ongoing investigation into the Zogg Fire. As such, I cannot offer comments regarding that specific fire.

That said, based upon my experience as California's leading emergency manager for a state that arguably sees more complex and diverse disasters than any other state in the nation, I know that risk assessment and hazard mitigation are critically important and often complex endeavors. Each type of disaster and, in fact, each disaster itself, has unique characteristics, complexities, and challenges. In addition, California has been experiencing unprecedented weather conditions, which further complicate and exacerbate disasters, necessitating more flexible mitigation measures. There is no single solution. Rather, prevention and mitigation require careful deployment of a broad array of measures that must be evaluated for their efficacy at risk reduction or mitigation, but also the broader impacts to the community of implementing



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those measures. While mitigating one risk, conceivably you could be creating another that poses severe public safety threats.

Hazard mitigation in the context of utility-caused wildfire prevention is no exception, and requires a combination of prevention and mitigation strategies, such as ensuring for adequate defensible space around homes and other buildings, enhancing, hardening or modernizing infrastructure, investing in up-to-date technology, community education, inspecting lines/equipment, management of vegetation near power lines, and targeted use of power line de-energization as a measure of last resort.

When looking back at a disaster it may appear that one particular measure could have mitigated the effects of, or even prevented, that disaster. However, as I articulated in my February 19, 2021 letter, there could be significant, if not catastrophic consequences associated with expanding use of that prevention strategy without considering the totality of the public safety impacts to the larger community. Again, each prevention and mitigation measure and its potential cascading impacts must be carefully contemplated to ensure that mitigating one emergency does not cause suffering from another.

I thank you again for the opportunity to provide input.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark S. Ghilarducci", with a long, sweeping horizontal line extending to the right.

MARK S. GHILARDUCCI  
Director